

2851/16

81934EF-P

Customer No. 01333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Philip N. Garfinkle, et al.

A METHOD OF PROCESSING A ROLL OF EXPOSED PHOTOGRAPHIC FILM CONTAINING PHOTOGRAPHIC IMAGE INTO CORRESPONDING DIGITAL IMAGES AND THEN DISTRIBUTING VISUAL PRINTS PRODUCED FROM THE DIGITAL IMAGES

Serial No. US 10/039,547

Filed 09 November 2001

Commissioner for Patents
Washington, D.C. 20231

Sir:

Group Art Unit: 2851

Examiner: Alan A. Mathew

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231.

Deborah J. Walczak

Deborah J. Walczak

RECEIVED

MAY 15 2003

OFFICE OF THE SPECIAL
PROGRAMS EXAMINER

RECEIVED
MAY 7 2003
TECHNOLOGY CENTER 2800

TERMINAL DISCLAIMER APPROVED
MAY 15 2003
TECHNOLOGY CENTER 2800
SPECIAL PROGRAM CENTER

TERMINAL DISCLAIMER TO OBLIGATE A DOUBLE PATENTING
REJECTION OVER PRIOR PATENTS AND PENDING SECOND AND
THIRD PRIOR APPLICATIONS

The owner, Eastman Kodak Company of the entire interest in the instant application, hereby disclaims except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer, of prior Patent Nos. 6,017,157, 6,133,985 and 6,512,570 and by any terminal disclaimer filed prior to the grant of any patent granted on any pending first and second Application Nos. 09/490,346 and 10/037,810. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents and any patent granted on the first and second applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156

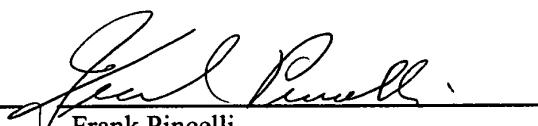
05/06/2003 DCHWJL 110.00 CH
00000164 050295 10039547

and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant on the second application, in the event that any patent granted on the second application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The undersigned is an attorney of record. (If this box is not checked do not use this form)

4/28/2003

Date
Telephone: (585) 588-2728
Facsimile: (585) 477-4646
/djw


Frank Pincelli
Attorney of Record
Registration No. 27,370

Please charge the fee to Eastman Kodak Company Deposit Account 05-0225. (A duplicate copy of this request is enclosed)

